

OPINION 918

THREE EDITIONS OF A WORK BY O. F. MÜLLER: SUPPRESSED
UNDER THE PLENARY POWERS

RULING.—(1) Under the plenary powers the following papers by O. F. Müller are hereby suppressed:

- (a) Efterretning om ubekjendte Een-Øyer i vore færske Vande. *Kiøbenhavnsske Efterretninger om lærde Sager*. II. Hæfte No. 52, 28 Decbr. 1769;
- (b) Efterretning om ubekjendte Een-Øyer i vore færske Vande. *Kritisk Journal*, Kiøbenhavn. Nr. 3, 1770;
- (c) Monoculi Aquarium agri Fridrichsdalensis. *Gazette Littéraire de Berlin*, 1770.

(2) The following works, as suppressed under the plenary powers in (1) above, are hereby placed on the Official Index of Rejected and Invalid Works in Zoological Nomenclature with the Title Numbers specified:

- (a) O. F. Müller, Efterretning om ubekjendte Een-Øyer i vore færske Vande. *Kiøbenhavnsske Efterretninger om lærde Sager*. II. Hæfte No. 52, 28 Decbr. 1769 (Title No. 76);
- (b) O. F. Müller, Efterretning om ubekjendte Een-Øyer i vore færske Vande. *Kritisk Journal*, Kiøbenhavn. Nr. 3, 1770 (Title No. 77);
- (c) O. F. Müller, Monoculi Aquarium agri Fridrichsdalensis. *Gazette Littéraire de Berlin*, 1770 (Title No. 78).

HISTORY OF THE CASE (Z.N.(S.) 1797)

The present case was submitted to the office of the Commission by Dr. Ulrik Roen in March 1967. Dr. Roen's application was sent to the printer on 3 May 1967 and was published on 20 September 1967 in *Bull. zool. Nomencl.* **24** : 244–245. Public Notice of the possible use of the plenary powers was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184). The application was supported by Dr. Torben Wolff (*Bull. zool. Nomencl.* **24** : 245).

DECISION OF THE COMMISSION

On 16 June 1969 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (69)32 either for or against the proposals set out in *Bull. zool. Nomencl.* **24** : 244–245. At the close of the prescribed voting period on 16 September 1969 the state of the voting was as follows:

Affirmative votes—sixteen (16), received in the following order: China, Lemche, Jaczewski, Vokes, Mayr, Obruchev, Melville, Alvarado, Starobogatov, Binder, Sabrosky, Mertens, do Amaral, Kraus, Forest, Ride.

Negative votes—one (1): Holthuis.

On Leave of Absence—one (1): Tortonese.

Voting Papers not returned—four (4): Bonnet, Evans, Munroe, Simpson.

Commissioner Brinck returned a late affirmative vote and Commissioner Eisenmann abstained from voting. The following comments were made by Commissioners in returning their voting papers:

Dr. L. B. Holthuis (24.vi.69): "I can see no good reason to reject the names *Cythere* O. F. Müller, 1769, for *Cythere* O. F. Müller, 1785; *Lynceus* O. F. Müller, 1769, for *Lynceus* O. F. Müller, 1776 (not 1785 as Dr. Roen has it); *Cyclops* O. F. Müller, 1769, for *Cyclops* O. F. Müller, 1776, and *Polyphemus* O. F. Müller, 1769, for *Polyphemus* O. F. Müller, 1776.

"The change in only the date of these names cannot cause any nomenclatural confusion, and is only beneficial to their stability, as the chances that older synonyms will be found are diminished by it.

"Further, O. F. Müller (1785, *Entomostraca seu Insecta testacea*: 3, footnote) duly refers to the older (1769 and 1770) papers, and anybody using his 1785 work should know about these earlier works; so there is no good reason why they should be overlooked and ignored. In the same footnote Müller refers to a paper which he cited 'Act. Societ. Londinensis, vol. 61, 1772*', which might therefore also contain the same descriptions as given in his 1769 and 1770 papers (I have not consulted this work so that I am not certain). Suppression of Müller's 1769 and 1770 works might still leave any eventual 1772 names valid.

"Dr. Roen's argument, that the descriptions given by Müller in 1769 are very poor, seems hardly adequate, since they hardly can be shorter than the diagnoses that Müller gave in his 1776 *Prodromus*, where the descriptions of *Cyclops* and *Lynceus* each consist of only four words. (I have not consulted any of the 1769 or 1770 papers, so that I may be wrong here.)

"All in all, I believe that there is no advantage in suppressing the 1769 and 1770 papers by Müller as requested by Dr. Roen."

Mr. E. Eisenmann (11.vii.69): "As the application fails to state what the effect of recognition of the earlier Müller works would be on current nomenclature, beyond the generalization that change of date would be 'disturbing', I prefer not to vote—considering the application inadequate."

CERTIFICATE

We certify that the votes cast on Voting Paper (69)31 were cast as set out above, that the proposal contained in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 918.

R. V. MELVILLE

Secretary

W. E. CHINA

Assistant Secretary

International Commission on Zoological Nomenclature

London

4 December 1969

* The paper cited is *Philos. Trans. roy. Soc. London* 61 : 230-246, Tab. VII. The four generic names here concerned are not mentioned in that paper.—Assistant Secretary